

[1]

A
S U M M A R Y
OF THE
A C T S
OF THE
P A R L I A M E N T S
OF
S C O T L A N D
AGAINST
P o p e r y a n d P a p i s t s .

I *Mprimis*, By an Act of Parliament of *Q. Mary* made at *Edenburgh* the 24 *August*, 1560. Popery is abolished.

Item. By the Second Act 1 Parl. *Jac. 6.* 1567. the before mentioned Act is ratified, and it is further declared and Ordained, that no Subject of *Scotland* sute or desire title or right of the Bishop of *Rome*, or his Sect, to any thing within the Realm, under the pains of Proscription, Banishment, and never to bruke Honour, Office nor Dignity within the Kingdom, and the Defenders of such, or Furnishers of them with Money, shall incurre the same Punishments, and the Contriveners hereof to be proceeded against by the Justice.

By another Act of *Q. Maries* made at *Ed.* the 24 of *August*, 1560. all former Acts of Parl. contrary to the Word of God, Protestant Principles, and Confession of Faith of the Church of *Scotland*, are annulled.

It. By the 3 Act 1 Parl. *Jac. 6.* 1567. this last mentioned Act of *Q. Maries* is ratified, being *verbatim* repeated, and the 26 Articles of the Confession of Faith insert as they were approven by Parl. in *Q. Maries* Reign on the 17 *August*, 1560.

It. By the 3 Act Parl. *Q. Mary*, made at *Ed.* 23 *August*, 1560. it is statute and ordained, that no manner of person or persons, say, hear, or be present at Mass, under pain of Confiscation of their Moveables and Unmoveables, and punishing their Bodies at the discretion of the Magistrates for the first fault, of Banishment out of the Realm for the second fault, and of Death for the third fault.

It. By the 5 Act 1 Parl. *Jac. 6.* 1567. this Immediate foregoing Act is ratified.

It. By the 6 Act 1 Parl. *Jac. 6.* 1567. it is declared that whoever gainsays the Confession of Faith professed in the Parl. 1560. and more particularly expressed and ratified in the present Parl. 1567. or refuses the participation of the Sacraments as they are now administred, are no members of the Kirk of *Scotland*.

It. By the 8 Act 1 Parl. *Jac. 6.* 1567. It is declared, that the increase of vertue and Suppressing Idolatry craves that the Prince and People be of one perfect Religion, which is now of Gods mercy presently professed within this Realm. Therefore it is Statute and ordained, that all Kings Princes or Magistrates whatsoever, holding

their places, which hereafter in any time shall happen to Reign, and bear rule over this Realm, at the time of their Coronation and receipt of ther Princely Authority, make their faithfull promise by Oath, that during their lives they shall serve God according to the true Religion, and maintain it and the right administration of the Sacraments now received and Preached within this Realm, and shall abolish and gainstand all false Religion contrary to the same, &c.

It. By the 25 Act 2 Parl. *Jac.* 6. 1571. all the above mentioned Acts are ratified.

It. By the 45 Act 3 Parl. *Jac.* 6. 1572. the above noted 6 Act 1 Parl. *Jac.* 6. is ratified: and it is further enacted that all suspect and relapse Papiſts be warned, according to the Order of the Kirk; and if they be forth of the Realm on threescore dayes to recant their Papiſtical errors, give the Confession of their Faith according to the Form appointed and approved in Parliament, under the pain of Excommunication: and it is further declared that all obstinate relapse persons who have returned to their Errors after professing the true Religion, are and shall be repute and esteemed Infamous, and unable to sit or stand in Judgment, pursue, bear Office, nor be admitted as Witnesses or Assizers against any professing the true Religion; which being alledged be sufficient to decline them from Office, &c.

It. By the 27 Act Parl. 3. *Jam.* 6. 1572. It is declared, that the true Religion, and the Kings Authority, are so joyned, as the hurt of the one is common to both, and therefore Statutes that none shall be repute Loyall Subjects, but be punishable as Rebels, and gainstanders of the same, who shall not give Confession, and make profession of the true Religion; and that none that hath made defection therefrom be readmitted to the Kings mercy, but such as give of new the Confession of their Faith, and promise to continue in the profession of the true Religion, and maintain it and the Preachers and professors of it, against whatsoever enemies, and gainstanders: and Namely, against whatsoever Nation, Estate, or degree they be that assist to set forward or execute the Decrees of the Cruel Councill of Trent.

It. By the 61 Act of the 5 Parliament of *Jac.* 6. the King being of perfect Age, all the before mentioned Acts are ratified.

It. By the 68 Act of the 6 Parliament of *Jac.* 6. all the before mentioned Acts are ratified.

It. By the 99 Act of the 7 Parl. of *James* 6. all the foregoing Acts are Ratified.

It. By the 106 Act of the 7 Parliament of *James* 6. it is statute, That none of the Kings Subjects, or Strangers, (excepting Ambassadors, Messengers, or Merchants) Adversaries to the true Religion, or that hath declined therefrom, return to the Realm, or remain therein, except within forty days they give Confession of their Faith, and subscribe the Articles of the true Religion, and that in the Interim, none of them Repair to the Kings presence, Palace, or dwelling House, nor remain longer than three hours within seven miles of them; and whoever fails herein, shall be imprison'd, untill they find Surety, that they shall either Recant their Errors, and profess the true Religion, or depart forth of the Realm within 15 days thereafter, and that in the mean time they shall do nothing for the promoting the Popish Errours.

It. By the 23 Act, 10 Parl. *Jac.* 6. all the foregoing Acts are ratified after the Kings perfect age of 21 years.

It. By the 114 Act, 12 Parl. of *Jac.* 6. all the foregoing Acts are ratified, and several priviledges granted to the Kirk.

It. By the 120 Act, 12 Parliament *Jac.* 6. It is declared, that the saying of Masses, recepting of Jesuits, Seminary Priests, and trafficking Papiſts, doth Inſerre the pain of Treason.

It. By the 164 Act of the 13 Parl. of *Jac.* 6. It is statute, that whatever person says Mass, or Receipts or entertains for three nights, at several times, or together, excommunicate Jesuites, or Trafficking Papiſts, shall lose his Escheat for the first fault; for the second time shall Amit their Life-rent right of their whole Estate, and for the third time shall incurre the pain of Treason.

It. By the 193 Act of the 14 Parl. of *Jac.* 6. It is statute, that all wilfull hearers of Mass, and Concealers of it, be execute to death.

It. By

It. By the 8 Act of the first Parl. of *Char. 2.* 1661. It is statute, that none of his Majesties Subjects, of what quality or degree soever, hear Mass, supply, entertain, furnish meat or drink, nor keep any Intelligence or Correspondence with Priests, Jesuits, or Trafficking Papists, under the pains contained in the Laws and Acts of Parliament made on that behalf ----- which is death, as may appear by the aforementioned Acts of Parliament.

The Eleventh Act of the first Parliament of King Charles the Second, 1661:

Act for taking the Oath of Allegiance.

Our Sovereign Lord being truly sensible of the many Sufferings and sad Confusions, that his dutiful and Loyal Subjects have been brought under during these troubles; and desirous that his Royal Government, in its due Administration, may be refreshing and Comfortable unto them: And conceiving it necessary for that end, and for the honour and advancement of his own Service, the Welfare and Happiness of his Subjects, and the peace and quiet of this Kingdom, that the places of of Publique Trust (which be the Channels and Conduits by which his Majesties Government is conveyed unto his People,) be supplied and exercised by persons of known Integrity, Abilities and Loyalty: Do therefore declare: That it is and will be his Majesties Royal Care, that those whom (according to the undoubted right of the Crown) he hath, or shall think fit to call to his Councils, or any publick Employments, shall be so qualified: And that for the full satisfaction of all his good Subjects, and for removing any Scruples or Jealousies can arise upon this account, they shall before their admittance to, or exercise of any such Trust, Give such publick testimony of their Duty and Loyalty, as may evidence to the world, they are such as the Kingdom, and all honest men and good Subjects may justly confide in: And therefore the Kings Majesty, with Advice and Consent of his Estates of Peers had, Doth Statute and Ordain, That all and whatsoever person or persons, who are or shall be Nominated by his Majesty, to be his Officers of State, of his Privy Council, Session or Exchequer, Justice General, Admiral, Sheriffs, Commissioners, and their Deputies, and Clerks; and all Magistrates, and Council of Royal Burghs, at their admission to their several Offices, and before they offer to exercise the same, shall take and swear the Oath of Allegiance, hereunto subjoyned: And also that all other persons, who shall be required by his Majesties Privy Council, or any having Authority from them, shall be obliged to take and swear the same.

The Oath of Allegiance.

I — For testification of my faithful Obedience to my most Gracious and redoubted Sovereign, Charles King of Great Britain, France and Ireland, Defender of the Faith, &c. Affirm, testify and declare, by this my Sollemn Oath, that I acknowledge my said Sovereign only Supreme Governour of this Kingdom, over all Persons, and in all Causes: And that no Forreign Prince, Power, State, or Person, Civil or Ecclesiastick, hath any Jurisdiction, Power or Superiority over the same. And therefore I do utterly Renounce and forsake all Forreign Power, Jurisdictions and Authorities: And shall at my utmost Power, defend, assist and maintain his Majesties Jurisdiction, forefend against all deadly enemies: And shall never decline his Majesties Power and Jurisdiction: As I shall answer to God.

Note, That the Confession of Faith, and Doctrine Believed, and professed by the Protestants in Scotland, in Twenty six Articles, were ratified by the Three Estates at *Edinburgh, Aug. 17. 1560.* and exhibited to the King, and same Estates in Parliament, and by their publick Votes authorized as a Doctrine grounded on the Infallible Word of God, *Decemb. 15. 1567.* which was the first Parliament of King James the sixth, as may be seen in the fourth Act, or Chapter of the Statutes then

then made: By the same Parliament, the following Chapters, or Statutes were enacted, *viz.*

1. For abolishing the Popes usurped Authority, and the Laws formerly made against Gods Word. Chap. 2. & 3.
2. For Confirmation of the said Confession. Chap. 4.
3. For abolishing the Mass. Chap. 5.
4. For Declaring the true and holy Kirk. Chap. 6.
5. For Admission of Ministers. Chap. 7.

And according to these Acts, the Coronation Oath, which here follows, transcribed out of the Eighth Act, or Chapter of that Parliament, must needs be understood, when it requires the King to *Maintain the true Religion*, Preaching of the Word, and Administration of the Sacraments, then received and preached in the Realm:

The Title of the Eighth Act, or Chapter, and the Act it self follows in these words:

8. *Act, the Kings Oath to be given at his Coronation.*

Item. Because that the increase of Virtue and Suppression of Idolatry craves that the Prince and the People be of one perfect Religion, which of Gods Mercy is now presently professed within this Realm, Therefore it is Statute and Ordained, by our Sovereign Lord, My Lord Regent, and Three Estates of this present Parliament, That all Kings and Princes, or Magistrates whatsoever, holding their Place, which hereafter at any time shall happen to Reign or bear Rule over this Realm, at the time of their Coronation, and Receipt of their princely Authority, make their faithful promise by Oath, in the presence of the Eternal God, that enduring the whole Course of their Lives, they shall serve the same Eternal God, to the uttermost of their power, according as he hath required in his most holy Word, revealed and Contained in the New, and Old Testaments, and according to the same Word shall maintain the True Religion of Christ Jesus, the Preaching of his Holy Word, and due and right Administration of the Sacraments, now Received and Preached within this Realm: and shall Abolish and gainstand all false Religion contrary to the same, and shall Rule the people committed to his charge according to the Will and Command of God revealed in his foresaid Word, and according to the laudable Laws and Constitutions received in this Realm not wise Repugnant to the said Word of the Eternal God, and shall procure to the uttermost of their power, to the Kirk of God, and whole Christian People, true and perfect peace in all time to come: the Rights and Rents with all just Privileges of the Crown of Scotland to preserve, and keep inviolated, neither shall they transferr or alienate the same. They shall forbid and repress in all estates and degrees, Reife, Oppression, and all kind of wrong: In all Judgements they shall Command and procure that Justice and Equity be kept to all Creatures without exception, as the Lord and Father of Mercies be Mercifull to them: And out of their Lands and Empire they shall be careful to Root out all Heresies, and enemies to the True Worship of God, that shall be convict of the true Kirk of God of the aforesaid Crimes; and that they shall faithfully affirm the things above written with their Solemn Oath.

Chap. 9. Provides, that no person may be Judge, Procurator, or Member of Court, or Notary, who professes not the true Religion.